

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 29, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Leo John Yallup

Case Number: 0980 1:15CR02031-LRS-1

Address of Offender:

Washington 99037

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 6, 2016

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1); Crime on Indian Reservation - Assault with a Dangerous Weapon, 18 U.S.C. §§ 1153 and 113(a)(3)

Original Sentence: Prison - 70 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alison L. Gregoire

Date Supervision Commenced: June 5, 2020

Defense Attorney: Federal Defenders Office

Date Supervision Expires: June 4, 2023

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition #2:** The defendant shall not commit another federal, state, or local crime.**Supporting Evidence:** The offender is alleged to have violated mandatory condition number 2, by committing fourth degree assault domestic violence and harassment - threat to harm on or about March 28, 2021.

On June 5, 2020, Mr. Yallup's conditions of supervision were reviewed and he signed said conditions acknowledging he understood his requirements. Specifically, he was made aware by the U.S. probation officer that he must not commit another federal, state, or local crime.

According to Spokane County Sheriff incident report 2021-10037796, on March 28, 2021, deputies were dispatched to a T-Mobile store located in Spokane Valley, Washington, after a customer alerted an employee that her boyfriend, Leo Yallup, had assaulted her. She further indicated the offender was intoxicated and was outside in his vehicle.

When deputies arrived on the scene, they observed the victim had bruising around her right eye, as well as a swollen bump and abrasion near her left eye. The victim informed officers that Mr. Yallup had been drinking heavily for a few days and had assaulted her at their

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apartment located in Spokane Valley, Washington. Specifically, she stated Mr. Yallup punched her twice in the face and kicked her. The victim refused to allow deputies to take pictures of her injuries and indicated she did not want him to be arrested.

After the incident, the victim reported they left the apartment to go to the T-Mobile store because the offender had lost his phone at a bar the night prior. She indicated while they were standing in the parking lot outside the store, the offender held a glass liquor bottle and yelled "I'll break your face with this bottle". Subsequently, the victim entered the T-Mobile store and alerted an employee about the assault that had previously occurred.

Deputies located the offender in the passenger seat of his vehicle, which was located in the parking lot of the store. Mr. Yallup was asleep in the vehicle and deputies made several attempts to wake him. He also appeared to be extremely intoxicated, as a strong odor of alcohol was emanating from his person. Mr. Yallup finally woke up and was informed by deputies that he was being contacted in reference to an alleged assault. The offender started mumbling and was placed under arrest.

While in transport to Spokane County Jail, the offender began calling the deputy names and tried to get him to engage in a physical fight. The deputy ignored him and Mr. Yallup proceeded to lay on his back in the backseat of the patrol vehicle and tried to kick out the back door window. Upon arrival at the jail, he was removed from the vehicle and booked into Spokane County Jail for fourth degree assault domestic violence and harassment - threat to harm. As of this writing, he remains in custody at the Spokane County Jail.

It should be noted, the victim also advised deputies the offender assaulted her the night prior when she picked him up from a bar. She reported he punched her and then punched the passenger side window of his vehicle causing it to break. She advised she did not contact law enforcement to report the incident.

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Special Condition #15: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer) as directed by the supervising officer, but not more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: The offender is alleged to have violated special condition number 15, by consuming alcohol on or about March 28, 2021.

On June 5, 2020, Mr. Yallup's conditions of supervision were reviewed and he signed said conditions acknowledging he understood his requirements. Specifically, he was made aware by the U.S. probation officer that he must abstain from alcohol.

As previously noted, on March 28, 2021, Mr. Yallup was encountered by Spokane County Sheriff deputies regarding an alleged assault. When deputies made contact with the offender in his vehicle, he appeared to be intoxicated and a strong odor of alcohol was emanating from his person. Officers also observed a partially empty glass liquor bottle in the center console of the vehicle.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 29, 2021

s/Lori Cross

Lori Cross

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

March 29, 2021

Date